



File

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
215 Fremont Street
San Francisco, CA 94105

Elena Daly
Bureau of Land Management
Needles Resource Area
P.O. Box 888
Needles, California 92363

14 MAR 1990

Dear Ms. Daly:

The Environmental Protection Agency (EPA) has reviewed the Supplement to the Draft Environmental Impact Statement/ Environmental Impact Report (DEIS/EIR) for the Castle Mountain Project, a proposed heap leach gold mine within the East Mojave National Scenic Area. The initial Castle Mountain Project EIS/EIR was issued in Spring 1989. Our comments on the Supplement are provided pursuant to the National Environmental Policy Act and Section 309 of the Clean Air Act.

The Supplement to the DEIS/EIR discusses modifications in the proposed action and expands analysis of alternatives and cumulative impacts. One of the important regulatory changes which has affected project design is protection of the desert tortoise under both state and federal Endangered Species acts. Additionally, the Supplement presents a draft Monitoring Compliance Program which has been developed largely as a response to recent State legislation (AB 3180).

When EPA submitted comments on the Castle Mountain Project DEIS/EIR in May 1989, the proposed action and impact statement were assigned a rating of EC-2, "environmental concerns-- insufficient information." This rating has been retained for the Supplement as well, since the proposed revisions affect only a few aspects of the much larger project. However, we do note that in several respects the Supplement improves documentation of impacts and includes changes in project design or proposed mitigation measures which could lessen adverse environmental impacts. We are encouraged that each of the three proposed project changes-- access road rerouting, redesign of the process solution storage, and redesigned onsite power supply and dust suppression equipment-- has the potential to reduce adverse impacts. Our detailed comments are attached.

When the Final Environmental Impact Statement is officially filed in our Washington, D.C., office, please also send three copies to the Office of Federal Activities at following new EPA Region 9 address:

Environmental Protection Agency, Region 9
1235 Mission Street
San Francisco, CA 94103
attn: Office of Federal Activities, E-3

If you have any questions, please contact me at 415-556-6383 (FTS 556-6383), or have your staff contact Carolyn Yale at 415-556-5108 (FTS 556-5108).

Sincerely,

A handwritten signature in cursive script, reading "Deanna Wieman".

Deanna Wieman, Director
Office of External Affairs

enclosure: 3 pages

dcn: 90-099

cc: Art Swajian, Colorado River Basin Regional Water Quality
Control Board
Walter Mook, San Bernardino County Air Pollution Control
District
Ray Bransfield, U.S. Fish and Wildlife Service

Desert Tortoise Protection

The Supplement states that because the main access route originally identified in the DEIS/EIR ("Searchlight Access Route," using Clark County Road) would have traversed high value (Category 1) desert tortoise habitat, a "mitigated Searchlight access route" avoiding this habitat has been proposed. Subject to County approval, the Clark County Road would be closed to traffic and reclaimed. A second access route-- Ivanpah Road, which also includes Category 1 tortoise habitat-- was originally envisioned for some equipment and supply deliveries, but under the new mitigated access plan "no project traffic would be directed through the Ivanpah Valley Category 1 desert tortoise habitat" (p. 3-14).

While the revised plan for the Searchlight route appears to improve tortoise habitat protection, we are concerned that the Ivanpah route would still be open and could be used for work commutes and deliveries. Ivanpah Road appears to be a more direct route than the "mitigated Searchlight" alignment for traffic from the Los Vegas area, which is within commute distance. Moreover, we note that as part of the revised mitigation measures, fencing in crucial habitat along Ivanpah Road would no longer be required (p. 3-21). What measures are anticipated to ensure that project traffic will in fact be directed along the new Searchlight route? If control over routes is limited, effective mitigation measures to protect the tortoise from traffic along Ivanpah Road should be required.

Process Solution Storage

In our earlier comments on the DEIS/EIR we requested consideration of smaller ponds or enclosed storage tanks to hold the process solutions, and we commend you for including these two design alternatives in the Supplement. Considering the advantages of enclosed tanks for preventing poisonings of wildlife and reducing water loss through evaporation, we encourage you to give this alternative serious evaluation. The FEIS should be more specific on water savings and also should elaborate on the use of the "emergency" solution storage pond which accompanies the storage tanks. The discussion on page 3-26 states that this pond would serve for "backup storage" and would require netting: how frequently would this storage use occur; what type(s) and volume of solution would be held here? If netting is needed for this "backup storage," do the planned dimensions permit secure, effective cover?

Air Quality

EPA's comments on the initial DEIS/EIR noted several problems with the air quality analysis and potential adverse impacts, including potential violations of state ozone standards, difficulties in meeting state and federal PM-10 standards, and high nitrogen oxide emissions. The Supplement proposes several project changes-- substitution of propane-fired electrical generators (resulting in a reduction of nitrogen dioxide) and use of baghouses to control fugitive dust from ore processing operations-- the overall effect of which is unclear. We note that revised calculations of particulate emissions predict overall a slight rise over earlier estimates, despite the use of baghouses.

Generally, the Supplement does not contain information which satisfactorily addresses our earlier questions and concerns. We request that the Final EIS/EIR respond in detail to questions stated in the May 1989 comment letter regarding air quality impacts modelling and analysis. The unresolved issues regarding ozone impacts, PM-10 background levels, and PSD are especially critical. Please also explain the changes in methodology for emissions calculations (referenced in the Supplement on p. 3-29).

Environmental Impact of the ActionIO—Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC—Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO—Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU—Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact StatementCategory 1—Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2—Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3—Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."